

**MINUTES OF THE MEETING OF THE CITY COUNCIL**

Wichita, Kansas, July 15, 2003  
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Lambke, Martz, Schlapp present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Graves, City Clerk; present.

Rich Hanley, InterFaith Ministries, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

The Minutes of the regular meeting of July 8, 2003 were approved 7 to 0.

**AWARDS AND PRESENTATIONS**

**PROCLAMATIONS** Officer Heather Frazier was recognized for her efforts for the National Night Out program.

**PUBLIC AGENDA**

Samuel Kelso

Samuel Kelso was not present.

**NEW BUSINESS**

(Item No. 7 was taken up out of order; action is shown in Agenda order.)

**KDOT****KANSAS DEPARTMENT OF TRANSPORTATION PROJECT FUNDING REQUESTS.  
(Districts II, III, IV, and V)**

John Schlegel

Planning Director reviewed the Item.

Agenda Report No. 03-0755

As a continuation of their local partnership program, the Kansas Department of Transportation (KDOT) is requesting project submittal for the KLINK Resurfacing, Geometric Improvement, and Economic Development projects. The KLINK project requests are for fiscal year 2006 (July 1, 2005 through June 30, 2006) and the Geometric and Economic Development projects are for fiscal year 2007 (July 1, 2006 through June 30, 2007).

The KLINK, Geometric, and Economic Development projects were developed by the City Manager's Office, Public Works Department, Finance Department's Economic Development, and the Planning Department. Staff recommends the follow projects:

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## KLINK Resurfacing

1) Repair and resurface U.S. 54/400 from Lark to 119th Street West

## Costs

\$ 400,000

## Geometric Improvements

1) Widening the corridors along both South Broadway (46th St. S. to 48th St. S.) and 47th St. S. (Main to I-135)

## Costs

\$4,659,441

## Economic Development

1) Reconstruct and reconfigure Dugan, Pueblo, and Hoover Road from US-54/400 (Kellogg) to Harry

## Costs

\$3,000,000

2) Greenwich interchange at K-96

\$2,000,000

3) Reconstruct and widen Tyler Road from Harry to Pawnee

\$2,500,000

If approved, KDOT will participate in the cost of the requested projects, as follows:

## KLINK Category

## KDOT%

## KDOT Share

## Local/Other Share

1) Repair and resurface U.S. 54/400 from Lark To 119 Street West

50%

\$200,000

\$200,000

If the project is awarded by KDOT, some reprioritization of funds may be necessary to make the match. The local share for this program would need to be programmed in the Capital Improvement Program in 2006.

## Geometric Improvements Category

## KDOT%

## KDOT Share

## LOCAL/OTHER Share

1) Widening the corridors along both South Broadway (46th St. S. to 48th St. S.) and 47th St. S. (Main to I-135)

20%

\$950,000

\$3,709,441

## Economic Development

## KDOT%

## KDOT Share

## LOCAL/OTHER Share

1) Reconstruct and reconfigure Dugan, Pueblo, and Hoover Road from US-54/400 (Kellogg) to Harry

67%

\$2,000,000

\$1,000,000

2) Greenwich interchange at K-96

75%

\$1,500,000

\$500,000

3) Reconstruct and widen Tyler Road from Harry to Pawnee

80%

\$2,000,000

\$500,000

If one or more of these projects are awarded by KDOT, some reprioritization of funds may be necessary to make the match. The local share for this program would need to be programmed in the Capital Improvement Program in 2007.

Mayor Mayans

Mayor Mayans inquired if anyone wished to be heard and no one appeared.

Motion--  
-- carried

Mayans moved that the projects be approved and submittal to KDOT be authorized. Motion carried 7 to 0.

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## BIKE PATH

### BIKE PATH ALONG THE LITTLE ARKANSAS RIVER FROM 13TH TO 21ST STREET, AND ALONG 21ST STREET TO AMIDON. (DISTRICT VI)

Neil Cable

City Engineer reviewed the Item.

Agenda Report No. 03-0756

The 2003 Capital Improvement Program includes funds to construct a bike path along the Little Arkansas River from 13th to 21st, and along 21st to Amidon. District VI Advisory Board sponsored a August 5, 2002, neighborhood hearing on the project. The Board made no recommendation.

The bike path will be on the west bank of the Little Arkansas River from 13th to 18th, then along the east bank to 21st, then along 21st to Amidon. It will connect the commercial developments in the Twin Lakes area to residential areas and North High School on the south. The project is scheduled for letting this fall.

The project budget is \$580,000, with \$200,000 paid by the City and \$380,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds.

Council Member Lambke Council Member Lambke stated that this is not just federal dollars but also taxpayers dollars. Lambke questioned the value of the bike path when so many streets need repaired and asked if the federal funds could be diverted to another use.

Neil Cable Neil Cable explained that a certain amount of money is set aside for this type of project and that it cannot be diverted.

Council Member Lambke Council Member Lambke stated that the City is trying to balance the budget and he would like to hear the other council member's views on this subject. There is a better way to spend \$200,000.

Council Member Fearey Council Member Fearey said the \$200,000 is from the capital improvement program and cannot be used for the other types of initiatives

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard.

Rosalee Bradley Ms. Bradley, president of the neighborhood association, said a bike path would be a true neighborhood initiative. Ms. Bradley explained that efforts have been ongoing for several years to put the bike path together and get it approved with the State, and urged approval of the bike path - an enhancement to the inner city.

Council Member Fearey Council Member Fearey said the District Advisory Board (DAB) did not vote on this Item; however, the DAB was very supportive and enthusiastic.

Motion -- Mayans moved that the project and necessary Contracts be approved; the Resolution be adopted; -- carried and the necessary signatures be authorized. Motion carried 6 to 1. Lambke - No.

## RESOLUTION NO. 03-359

A Resolution authorizing the issuance of bonds by the City of Wichita at large to construct a bike path along the Little Arkansas River, from 13th Street to 21st Street (472-83812), presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 1. Ayes: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. Nays: Lambke.

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## **(SMIDD) 2004 BUDGET PRESENTATION OF SELF-SUPPORTING MUNICIPAL IMPROVEMENT DISTRICT (SMIDD) 2004 BUDGET.**

Ed Wolverton Ed Wolverton, President of the Downtown Development Commission, presented the Item.

Business Recruitment and Retention	\$175,000	30%
Urban Vitality	280,000	50%
Image Enhancement and Marketing	<u>110,660</u>	20%
Total	\$565,660	
SSMID Mill Levy		0.0058

Ed Wolverton Ed Wolverton, responding to questions, said there is not a duplication of services. The DDC works on a much smaller scale than the Wichita Chamber of Commerce. The DDC helps more of the “mom and pop” type operations.

Business development is a high priority and marketing is much more focused on developing product services like the downtown shopping entertainment guide. The DDC also has an Internet web site.

Reserves are for tax delinquencies. This year tax delinquencies were \$15,000.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion-- Fearey moved that the Report be received and action on budget be deferred pending City budget actions.  
-- carried Motion carried 7-0.

## **UNSAFE STRUCTURES REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES.**

Agenda Report No. 03-0758

On June 3, 2003 a report was submitted with respect to the dangerous and unsafe conditions on three (3) properties. The Council adopted resolutions providing for a public hearing to be held on these condemnation actions at 9:30 a.m. or as soon thereafter, on July 15, 2003.

On May 5, 2003, the Board of Code Standards and Appeals (BCSA) held a hearing on the following properties:

<u>Property Address</u>	<u>Council District</u>
a. 3028 East Maplewood	I
b. 2215 North Kansas	I
c. 2632 North Hillside	I

Pursuant to State Statute the Resolutions were duly published twice on June 6, 2003 and June 13, 2003. A copy of each resolution was sent by certified mail or given personal service delivery to the owners and lien holders of record of each described property.

a. 3028 East Maplewood

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard regarding the property at 3028 E. Maplewood and no one appeared.

(Fearey momentarily absent)

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Motion-- Brewer moved that the public hearing be closed, the resolutions declaring the buildings dangerous and unsafe structures be adopted, and the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure be accepted. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of July 15, 2003; (2) the structure(s) has/have been secured as July 15, 2003 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of July 15, 2003 and will be so maintained during renovation. If any of the above conditions are not met, the Office of Central Inspection will proceed with demolition action and also instruct the City Clerk to have the resolutions published once in the official city paper and advise the owners of these findings. Motion carried-- carried 7 to 0.

## RESOLUTION NO. 03-360

A Resolution finding that the structure/s located on lot 20, block 14, Shadybrook Addition, Wichita, Sedgwick County, Kansas, commonly known as 3028 East Maplewood, is/are unsafe or dangerous and directing the structure/s to be removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

b. 2215 North Kansas

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

Council Member Brewer Council Member Brewer said he had been in touch with the daughter who is in the process of trying to get the property. A neighborhood group is working with the family. Council Member Brewer said he would like to give the family the benefit of the doubt but not waste valuable hours on the case. The fair thing to do would be to allow opportunity to take care of the property.

Motion-- Brewer moved that the public hearing be closed, the resolutions declaring the buildings dangerous and unsafe structures be adopted, the property owners be given two-weeks to pay the back taxes and special assessments, and mow the yard and clear debris from the yard; and an additional 60-days be given to complete exterior repairs. If the back taxes and special assessments are not paid, and the yard is not and mowed and the debris removed within two weeks, then the BCSA recommended action to proceed with condemnation allowing 10 days to start demolition and 10 days to complete removal of the structure be accepted. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of July 15, 2003; (2) the structure(s) has/have been secured as July 15, 2003 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of July 15, 2003 and will be so maintained during renovation. If any of the above conditions are not met, the Office of Central Inspection will proceed with demolition action and also instruct the City Clerk to have the resolutions published once in the official city paper and advise the owners of these findings. Motion carried 7 to 0.

-- carried

## RESOLUTION NO. 03-361

A Resolution finding that the structure/s located on lot 5, block j, Millair Addition, Wichita, Sedgwick County, Kansas, commonly known as 2215 North Kansas, is/are unsafe or dangerous and directing the structure/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

c. 2632 North Hillside

Kurt Schroeder Superintendent of Central Inspection reviewed the Item.

Mr. Baker Mr. Baker asked for an extension of 120-days instead of 60-days.

Kurt Schroeder Kurt Schroeder said that the 60-days discussed is for outside repairs.

Council Member Brewer Council Member Brewer said that if progress is made, at the end of 60-days staff can extend the time or Mr. Baker can ask for additional time. Staff will monitor and keep the City Council informed.

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Motion-- Brewer moved that the public hearing be closed, the resolutions declaring the buildings dangerous and unsafe structures be adopted, and 60 days be allowed to complete exterior repairs. Any extensions of time granted to repair the structure would be conditioned on the following: (1) All taxes have been paid to date, as of July 15, 2003; (2) the structure(s) has/have been secured as July 15, 2003 and will continue to be kept secured, and (3) the premises are mowed and free of debris as of July 15, 2003 and will be so maintained during renovation. If any of the above conditions are not met, the Office of Central Inspection will proceed with demolition action and also instruct the City Clerk to have the resolutions published once in the official city paper and advise the owners of these findings. Motion carried-- carried 7 to 0.

## RESOLUTION NO.03-362

A Resolution finding that the structure/s located on lots 29-31, block 1, College Crest Addition, Wichita, Sedgwick County, Kansas, commonly known as 2632 North Hillside, is/are unsafe or dangerous and directing the structure/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans.

(Item No. 7)  
**BUDGET** (The Budget Item hearing was held earlier in the meeting. Action is shown in Agenda order.)  
**2004 ANNUAL OPERATING BUDGET AND REVISIONS TO THE 2003 BUDGET.**

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard.

George (Inaudible) The President of the Great Plains Nature Center expressed concern regarding one of the naturalist positions being cut from the Nature Center under the Park budget. Asked that the Council Members reconsider elimination of the public education position. The City made a commitment to provide a certain number of public educators in a Memorandum of Understanding (MOA). It would not be in the best interest of the City to breach the MOA. Removal of this position would cause a major impact on the center's ability to provide education programs.

Harold Schlectweg President of the Service Employees Union 513 stated that he hoped that new agreements with groups can be reached with continuation of past bargaining process. Obstacles have risen in the bargaining process. On February 2, 2003, the SEU requested a meeting with the City, in accordance with State law. He was told that the City was not prepared to meet with him until after the Council elections. The City did not schedule a meeting with him until April 23<sup>rd</sup>. The City negotiating advisors could receive proposals but not respond. Every issue brought to the bargaining table had to be taken back to those who were able to negotiate. A Council Member should be designated to speak with bargaining units to investigate issues and complaints.

Winston Brooks U.S.D. 259 Superintendent, parent, and taxpayer said his concern was with the elimination of nine School Resource Officers (SROs). The SRO Program works and is a key component to any successful Police Program. SROs are also community police officers. It is common sense to place police officers where there is 1/6 of the city's population - in schools. The current budget proposal will result in nine middle schools not having a SRO. Mr. Brooks encouraged reinstatement of SRO's in the budget.

Lenora Nolan Parent of students in District V and a representative of the Board of Education expressed concerns with removal of SROs from schools. All middle schools have at-risk kids. Students have a relationship with the SROs and the relationship is a deterrent to students committing crime. SRO presence in the schools affects the student's achievement makes a difference to children. Some SROs are sole role models in a student's life. Ms. Nolan asked that there be reconsideration regarding cutting the SRO budget.

Francis Crowley Said crime doesn't just happen in the neighborhoods and schools - neighborhood altercations come to school the next day. SROs and police officers share information regarding neighborhood and school problems. Having SROs is helpful in controlling crime for all in the city. SROs help prevent truancy and are positive role models for the students. Ms. Crowley asked the City Council to think about removing the SROs.

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Rosalee Bradley      Reported that the SROs are very important. Citizens can call an SRO and report problems in the neighborhood regarding students and the SROs take care of the problems. SROs help lower the crime rate.

Motion--carried      Mayans moved that the comments be received. Motion carried 7-0.

(Item No. 8)      (Item No. 8 was considered later in the meeting; action is shown in Agenda Order.)

Ray Trail      Director of Finance reported that the bid opening was taking place and asked if the City Council would set aside this Agenda Item and that he would return after the bids were tabulated.

Motion--carried      Mayans moved that the Item be set aside until later in the meeting. Motion carried 7-0.

(Agenda Item No. 8)

## GO BOND SALE

### **GENERAL OBLIGATION BOND SALE (SERIES 774 AND 775); GENERAL OBLIGATION REFUNDING BONDS (SERIES 2003A); AND GENERAL OBLIGATION TEMPORARY NOTES (SERIES 208 AND 209).**

(Council Member Lambke absent)

Agenda Report No. 03-0760.

The City is offering for sale two series of General Obligation Temporary Notes totaling \$118,310,000, two series of general obligation bonds totaling \$25,395,000 for the purpose of providing temporary and permanent financing for capital improvement projects of the City, and one series of general obligation refunding bonds totaling approximately \$14,670,000.

The proceeds of the Series 208 Temporary Notes will be used to provide interim financing for various City-at-large and improvement district projects. The proceeds of the Series 209 Temporary Notes will be used to provide interim financing for freeway improvements. The proceeds of the Series 774 Bonds will be used to permanently finance various neighborhood improvements located in special improvement districts. The proceeds from the sale of Series 775 Bonds will be used to permanently finance certain City-at-large projects. The proceeds from the sale of the Series 2003A Refunding Bonds will be used to retire the Series 731, 741 & 744 Bonds.

Sealed bids will be accepted electronically through I-Deal, LLC/PARITY Electronic Bid Submission System until 10:30 a.m. CST in the Finance Conference Room, at which time the bids will be publicly opened. No bids will be accepted after the 10:30 a.m. deadline. The bids will be verified, tabulated and presented to the City Council at its earliest convenience following the tabulation of the bids. By law, the City must award the sale of the bonds and notes to the bidder whose proposed interest rates result in the lowest true interest rate.

The Series 208 Temporary Notes will mature February 19, 2004, and will be retired using cash, the proceeds of both permanent financing bonds, and renewal notes issued at that time. The Series 209 Temporary Notes will mature November 20, 2003 and will be retired with proceeds of permanent financing bonds. The Series 774 Bonds will mature serially over fifteen years and will be paid from special assessments that are levied against benefited property. The Series 775 Bonds will mature over ten years and will be paid from the citywide mill levy for debt service and the revenues accruing to various City enterprise funds. The Series 2003A Refunding Bonds will mature over eight years. The Bonds will be paid from special assessments levied when the Bonds were originally issued. The Series 2003A Bonds are not callable. The Series 774 Bonds will be callable in 2010 and the Series 775 will be callable in 2008 with a 1% call premium, in accordance with the City's debt management policy.

Ray Trail      Director of Finance reviewed the low bids as follows:

Ray Trail      Director of Finance said the bids were in conformance with the Notice of Bond Sale, and recommended acceptance of the low bids as follows:

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General Obligation Bonds, Series 774 - \$12.395M

A.G. Edwards and Sons, Inc. 3.575552 TIC

General Obligation Bonds, Series 775 - \$13.000M

Wells Fargo Brokerage 2.875627 TIC

General Obligation Refunding Bonds, Series 2003A (Reoffering) - \$14.375M

Citigroup Global Markets, Inc. 2.554662 TIC

Prevalue Savings \$1.391M

General Obligation Bonds, Series 208 - \$73.310 M

Citigroup Global Markets, Inc.

Rate of Interest Bid 0.927263 percent

Bid Amount \$73.310 M

General Obligation Bonds, Series 209 - \$45.000M

Zions First National Bank

Rate of Interest Bid 0.892926 percent

Bid Amount \$45.000M

Motion--

Mayans moved that the sale of Bonds and Notes be awarded as outlined and recommended; a public emergency be declared, the Bond and Note Ordinances be adopted on first reading; and the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

--carried

## ORDINANCE NO. 45-760

An ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 774, of the City of Wichita, Kansas, in the total principal amount of \$12,395,000, for the purpose of providing the necessary funds to pay costs in connection with the making of capital improvements in the city; prescribing the terms and details of the Bonds; providing for the levy and collection of an annual tax for the purpose of providing for the payment of the principal of and the interest on the Bonds as it becomes due and payable; and making certain other covenants and agreements with respect to the Bonds, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. (Lambke absent) Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans.

## ORDINANCE NO. 45-761

An ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 775, of the City of Wichita, Kansas, in the total principal amount of \$13,000,000, for the purpose of providing the necessary funds to pay costs in connection with the making of capital improvements in the city; prescribing the terms and details of the Bonds; providing for the levy and collection of an annual tax for the purpose of providing for the payment of the principal of and the interest on the Bonds as it becomes due and payable; and making certain other covenants and agreements with respect to the Bonds, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. (Lambke absent) Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans.



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## ORDINANCE NO. 45-762

An ordinance of the City of Wichita, Kansas, authorizing and providing for the payment of the city's outstanding General Obligation Bonds, Series 731, General Obligation Bonds, Series 741 and General Obligation Bonds, Series 744; authorizing the call for redemption prior to maturity of certain of the outstanding Series 731 Bonds, Series 741 Bonds and Series 744 Bonds; authorizing and providing for the sale and issuance of \$14,375,000 aggregate principal amount of general obligation refunding Bonds, Series 2003A, of the City of Wichita, Kansas, for the purpose of providing for the refunding and payment of certain of the said Series 731 Bonds, Series 741 Bonds and Series 744 Bonds; prescribing the form, terms and details of the Bonds; providing for the levy and collection of an annual tax for the purpose of providing for the payment of the principal of and the interest on the Bonds as it becomes due and payable; making certain other covenants and agreements with respect to the Bonds; and authorizing and providing for the execution and delivery of certain agreements and supporting documents. Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. (Lambke absent) Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans.

## ORDINANCE NO. 45-763

An ordinance authorizing and providing for the issuance of General Obligation Renewal and Improvement Temporary Notes, Series 208, of the City of Wichita, Kansas, in the total principal amount of \$73,310,000, for the purpose of providing the necessary funds to renew a portion of the principal amount of temporary notes previously issued for the interim financing of costs in connection with previously commenced capital improvements in the city, and for the interim financing of costs in connection with newly commenced capital improvements in the city; prescribing the terms and details of the notes; providing for the payment of the principal of and the interest on the notes; and making certain other covenants and agreements with respect thereto, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. (Lambke absent) Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans.

## ORDINANCE NO. 45-764

An ordinance authorizing and providing for the issuance of general obligation renewal temporary notes, Series 209, of the City of Wichita, Kansas, in the total principal amount of \$45,000,000, for the purpose of providing the necessary funds to renew a portion of the principal amount of temporary notes previously issued for the interim financing of costs in connection with previously commenced capital improvements in the city, prescribing the terms and details of the notes; providing for the payment of the principal of and the interest on the notes; and making certain other covenants and agreements with respect thereto, Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. (Lambke absent) Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans.

## **PRE-EMP. PHYICIALS PRE-EMPLOYMENT PHYSICALS AND DRUG TESTING.**

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 03-0761.

Prior to 1997, the City required drug testing of all potential employees and passage of a pre-employment physical for all physically-demanding positions. In 1997, all employees were required to pass a post-offer pre-employment physical and drug screen prior to beginning work with the City. The pre-employment physical requirement was added for non-physically active positions as a result of substantial increases in workers' compensation and medical expenses for these employees.

The make-up of pre-employment physicals varies depending upon the position for which the potential employee is being considered. The content of the physicals range from a minimal physical exam, lab work, and drug screen for office and non-field personnel to an extensive physical examination and

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functional capacity evaluation for firefighter recruits. The City arrived at the contents of these various physicals through the utilization of an independent physician specializing in occupational medicine. The physician recommended the various components of the physicals utilizing his own medical expertise, research of other public entity practices, and professional association recommendations.

A Request for Proposals (RFP) for pre-placement physical examinations and drug screens was issued to 17 potential vendors on May 12, 2003 with responses due on June 16, 2003. A pre-proposal conference was held on May 20, 2003 to provide an opportunity for all potential vendors to clarify any questions that they may have concerning the content of, or their potential response to, the RFP. Ten (10) representatives attended the pre-proposal conference from six (6) potential providers. City staff in attendance included the Director of Finance, Purchasing Manager, Risk Manager, and two representatives from Personnel. At the conclusion of the RFP process, the City received four (4) proposals. These proposals were comprised of three with the ability to provide pre-employment physicals and drug screening and one with the ability to provide only drug screening. Two potential vendors (Via Christi-Riverside and Performance Assessment Center) were selected as finalists and interviewed on June 30, 2003. The interview and selection committee consisted of the Director of Finance, Purchasing Manager, Risk Manager, a Fire Battalion Chief, and two Senior Personnel Technicians.

One proposer, (Performance Assessment Center) stated its capability of providing all services requested, but recommended significant modifications to the City's pre-employment physical standards. This recommendation prompted additional research and inquiries to physicians specializing in the field of occupational medicine, internal management in Police, Fire, and Personnel, and other public agencies. The staff review included a review by:

- (1) Two (2) separate and independent physicians specializing in occupational medicine recommended maintaining the current pre-employment standards utilized by the City of Wichita.
- (2) Police and Fire representatives who also recommended maintaining the current standards for their personnel due to the high stress, physical exertion, and risk of cardiac incident among their employees. (Cardiac incident is the number one killer of firefighters, and two to three members of each police recruit class fail the cardiac stress test portion of their pre-employment physical).
- (3) Personnel Office representatives who recommended maintaining the current standards for civilian employees. There have been numerous instances where the current components of the pre-employment physical have not only found an inability to physically perform the functions of the job, but also that a potential employee had an undiagnosed serious medical condition or disease. (These diseases/conditions may not have been found by utilizing the modified pre-employment physical). These conditions did not preclude the potential employee from employment with the City, but the conditions were serious enough that the physician would not allow them to begin employment until after seeking treatment from their personal medical provider and getting the condition/disease under control. The diagnosis and treatment of these potentially catastrophic medical conditions benefits both the City and our potential employees. The City avoids associated large medical expenses and lost productivity and the future employee and their family may be spared a devastating medical emergency.

Based upon multiple physician and staff recommendations, the selection committee voted unanimously to maintain the current pre-employment standards.

The utilization of separate vendors – one for the medical/physical components and the other would provide only drug screens – was examined by the selection committee because one vendor (Associates in Healthcare) on drug screening services could potentially provide a quicker turn-around time on drug screens. The review committee did not find any substantial advantages to the City by a more immediate receipt of drug screen results. It was also found that this would increase the administrative burden of scheduling and payment processing to separate vendors, as well as increase applicant inconvenience from dealing with multiple service providers.

Via Christi-Riverside and associated clinics provide these services on a 24/7 basis. Scheduling flexibility is also available outside of normal business hours by Via Christi Riverside to accommodate pre-employment physicals for fire/police recruit classes and second/third shift employees. Performance

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Assessment Center limited its times to provide services Monday through Friday from 8:00 am to 5:00 pm, excluding holidays, and would contract-out drug testing. [Note: in addition to applicant screening, the RFP encompassed for-cause or random drug testing of current employees so any hour, any day access for drug testing is a necessary service component.]

At the conclusion of the interviews it was apparent that both finalists were capable of providing the basic required services, and the primary decision point would be cost of service. The cost comparisons were based upon the RFP specified content of pre-employment physicals for Civilian I, Civilian II, Police, Fire, and Asbestos Physicals.

The Via Christi-Riverside proposal represented the lowest overall cost to the City meeting the RFP specifications, at an overall lower cost of 25% with a range in lower cost of 3%-44%, depending on the type of screenings for the various position categories. Via Christi-Riverside's proposal provides for no annual rate increase throughout the (potentially) five-year period. Performance Assessment Center requested rate increase cap of 6% on any annual renewals.

Post offer pre-employment physicals comply with the Americans with Disabilities Act and ensure that all employees are physically capable of performing the essential functions of the position, with or without reasonable accommodation. The federal Drug-Free Workplace Act and the federal Omnibus Transportation Employee Testing Act require pre-employment testing, post-accident testing and random testing for controlled substances and alcohol. The contract will be approved as to legal form by the Department of Law.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--  
-- carried

Fearey moved that the selection and Contract be approved and the necessary signatures be authorized. Motion carried 7-0.

## **SURPLUS PROPERTY MARKETING AND SALE OF SURPLUS PROPERTY:**

Chris Cherches

City Manager reviewed the Item.

(Council Member Martz momentarily absent)

Agenda Report No. 03-0762

The City Council requested that staff review the City's real property ownership, identify properties that no longer have an immediate public purpose and could be made available for sale, and specify any necessary and prudent conditions or restrictions on the disposal of these properties. A list of possible properties for sale was compiled and discussed by the City Council at its workshop on June 24, 2003. This list identified City-owned properties that are readily marketable and available for sale. It also included some properties with designated public uses that the Council might (or might not) want to dispose of along with properties that are surplus but whose salability is impacted because the City does not have clear title or approval is required from other governmental units before they can be sold.

The list of available properties was reviewed by staff; some parcels were withheld pending further review or because the property has a current and needed use. The proposed sale list includes the majority of properties that are marketable, and dependent upon the City Council's consideration, could be offered for sale. Properties with designated uses that are leased are not recommended for sale at this time. However, current lease rates will be evaluated to determine if properties are leased at current market rates. Parcels acquired for highway purposes and have reversionary rights and KDOT/Federal involvement, along with non-buildable remnants, will be first offered for sale to adjacent property owners at comparable sale prices. For those properties that have other governmental unit involvements, staff will initiate discussions with KDOT to seek permission to sell those surplus properties.

Tracts will be offered for sale to the public. Minimum values have been established and it is proposed that these values, or the highest offer, be used when considering the sale. Staff will notify all Realtors and investors in property of the properties for sale through mailings/notices. Commissions will be paid

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on qualifying offers from licensed real estate firms. In addition, staff will list properties (for sale) on the Internet and utilize appropriate advertisements and other methods of notification. In addition, it is proposed that the City Council reserve the right to reject any and all proposals and to control redevelopment via deed restrictions, proposal review for compatibility with neighboring uses and master plans, time limits for redevelopment, etc. It is further proposed that all offers must be received prior to an established 90-day date. By the sale of these properties, it is intended that they be sold on the basis of reasonable use and redevelopment to return to the tax rolls of the City, and not for speculation and holding. The City will sell property as is and will not negotiate or approve any sale on contingent on any rezoning.

**Land Remnants:** The list also includes parcels with reversionary rights and remnants – some of which may be non-buildable parcels – all subject to other governmental approvals. In addition to providing this list to licensed real estate firms, it is also proposed that the adjacent property owners also be notified of these sales to provide an opportunity for them to make offers on the property. Many of these properties listed as remnants, may be non-buildable, or difficult to market due to location, shape, non-access, topography or other restrictions. These parcels, because of other approvals being required, will be handled on a case-by-case basis.

**Lot Donations:** The City has an established program of “lot donations” where such parcels of land are offered to non-profit housing groups (CDC’s) for infill (homeownership) redevelopment. Based on market data and prior sales, these fourteen (14) properties are worth from \$1,000 to \$2,000 each. It is proposed that these lots also be made available to any for-profit group that will contract to build and privately invest in these properties.

Under the terms of the sale of City-owned properties, the City will receive cash consideration and will not carry or finance any purchase offers. The sale of these properties will allow them to return to the tax rolls for redevelopment purposes.

The City Council has the authority to dispose of surplus property.

- |                       |   |
|-----------------------|---|
| Council Member Gray   | Council Member Gray asked if the property located at the southwest corner of McLean and Maple is the property for the parking lot for the proposed Bass Pro Shop and Waterway Walk.   |
| Chris Cherches        | City Manager said that use is being contemplated - if the developer’s suggestion proceeds.  |
| Council Member Gray   | Council Member Gray suggested that the City maintain ownership for further usage for potential use for development.   |
| Mayor Mayans          | Mayor Mayans inquired whether anyone wished to be heard and no one appeared.  |
| Motion--<br>carried-- | Gray moved that the properties be designated as available for sale to the general public under specified conditions and Staff be authorized to list for sale with the exception of the property at the southwest corner of Maple and McLean. Motion carried 7 to 0. |

## County Commissioner Tim Norton

- |                     |  |
|---------------------|--|
| Commissioner Norton | Commissioner Norton said he came to see the work of his neighbors across the street and that the County is working on the same issues regarding budget and projects. |
|---------------------|--|

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## CITY COUNCIL AGENDA

### **BOARD ORD.**

### **ORDINANCE AMENDMENT - BOARD OF APPEALS OF PLUMBERS AND GAS FITTERS. (REQUESTED BY COUNCIL MEMBER GRAY)**

Gary Rebenstorf

City Attorney reviewed the Item.

Agenda Report No. 03-0763

The City has used its Home Rule authority in 1973 to charter-out of a State Statute and establish its own membership and duties for a Board of Examiners of Plumbers and Gas Fitters (also called the Board of Appeals of Plumbers and Gas Fitters). The membership of this Board was not changed in 1989 when the membership size of most of the other City boards was changed. Council member Gray and some members of the Board have requested a change in the membership size of the Board.

The proposed charter ordinance would change the membership of the Board of Examiners of Plumbers and Gas Fitters from five to seven members. Currently the board consists of members who hold a master plumber's certificate, a journeyman plumber's certificate, a mechanical engineer's license, a licensed mechanical contractor, and a member of the public-at-large.

The amended ordinance proposes that the City Council appoint two members from the public-at-large and the remaining five members to represent each of the four license categories of the current ordinance to the extent possible.

The direct financial impact will be minimal. There will be costs for publication of the ordinance and for copy and mailing costs for two additional board members.

The Charter ordinance has been drafted and approved as to form by the City Attorney. The charter ordinance requires approval by 2/3 (five) of the Council and would be effective 61 days after adoption and publication as required by law.

Council Member Gray

Council Member Gray said that members of the board came to him with a proposal to increase the board members from five to seven members.

Motion--

Gray moved to change representation from five to seven, and approve first reading of the Charter Ordinance with the correction of the name of the board to Plumbers and Gas Fitters. Motion carried 7 to 0.

-- carried

## CHARTER ORDINANCE

A Charter Ordinance of the City of Wichita, Kansas, relating to the membership of the Board of Appeals of Plumbers and Gas Fitters; amending Section 4 of Charter Ordinance No. 106; and repealing the original of said Section, introduced and under the rules laid over.

### **BOARD APPTS.**

### **BOARD APPOINTMENTS.**

Motion--carried

Martz moved to appoint Terry Schmidt to the DAB V. Motion carried 7-0.

Motion--

Lambke moved to appoint Stephanie Schroeder, Police & Fire Retirement Board of Trustees; Scott Wolfington, Board of Code Standards and Appeals; and Paul Cavenaugh, Historic Preservation Board. . Motion carried 7-0.

--carried

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Motion--

Gray moved to appoint to the Board of Appeals of Air Conditioning Refrigeration, Warm Air Heating and Boilers: Ray Fredrick, Refrigeration Contractor; Blaine Tharp, Boiler Contractor; Lee Kerschen, Public at Large; John Moody, Mech. Engineer; Gary Highfill, Journeyman Boiler; and Robert Stith, AC WAH Contractor. He also appointed to the Board of Appeals of Plumbers and Gas Fitters: Ken Englert, Mech. Contractor; Ron Means, Journeyman Plumber; Darrel Bunch, Master Plumber; and Lonnie Wright, Public at Large; and Richard Hartwell to the Board of Code Standards and Appeals. Motion-- carried 7-0.

--carried

## CONSENT AGENDA

Mayans moved that the Consent Agenda, except Items 16 v, w, hhh, and iii; and item 24, be approved as consensus Items. Motion carried 7-0.

Council Member Lambke left the Bench.

## BOARD OF BIDS

### REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED JULY 14, 2003.

Bids were opened July 11, 2003, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications

2003-2004 CDBG street, curb, gutter & sidewalk improvements (concrete repairs): Hydraulic, 11th to 15th; Kansas, 12th to 13th; Jackson, 21st to 22nd - north of Central, east of Arkansas. (472-83809/602500/800301) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, VI)

McFadden Construction - \$277,851.00 (Engineer's estimate)

Flora, from 3rd Street to St. Louis to serve Fruitvale Park Addition - south of Central, east of Hoover. (472-83621/765752/490863) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Cornejo & Sons Construction - \$100,369.00

21st & Rock Road Phase 2, Landscaping - 21st Street North & Rock Road. (472-3438/706829/201295) Traffic to be maintained during construction using flagpersons and barricades. (District II)

Green-Glo - \$31,169.00

2003 sanitary sewer reconstruction Phase 7 (various locations) - north of Pawnee, east of Meridian. (468-83649/620383/663504) Traffic to be maintained during construction using flagpersons and barricades. (Districts I,II,III,IV)

Nowak Construction - \$95,813.09

Storm Water Sewer #591 to serve Reed's Cove Addition; Reed Commercial Addition - south of 21st Street North, east of 127th Street East. (468-83656/751338/485229) Does not affect existing traffic. (District II)

Nowak Construction - \$87,163.50

Peregrine from the west line of Hillside to the south line of Kite; on Peregrine Court adjacent to Lots 16 through 21, Block 3; on Lanners Circle and Lanners Court adjacent to Lots 36 through 45, Block 2 and Lots 1 through 15, Block 6; Kite from Peregrine to the west line and on Osprey Circle adjacent to Lots 1 through 26, Block 2; Sidewalk along one side of Peregrine, and on one side of Kite to serve Falcon Falls

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Addition - south of 53rd Street North, west of Hillside. (472-83687/765782/490893) Does not affect existing traffic. (District I)

Cornejo & Sons Construction - \$580,052.45

Smithmoor Street, south of the north line of Lot 1, Block 2, including the cul-de-sacs; Bluestem Circle, east of Smithmoor including the cul-de-sac to serve Smithmoor 10th Addition - north of Pawnee, west of Greenwich. (472-83499/765795/490906) Does not affect existing traffic. (District II)

Cornejo & Sons Construction - \$156,536.60

Kinkaid from the north line of Lot 21, Block 7 to the west line of Brentwood South Addition; Stoneybrook from the south line of Kinkaid to the south line of Lot 13, Block 7; Kinkaid Court, from the east line of Kinkaid to and including cul-de-sac (Lots 43 thru 48, Block 3); Stoneybrook Court from the east line of Stoneybrook to and including cul-de-sac (Lots 31 thru 36, Block 3); and Stoneybrook Court from the south line of Stoneybrook to and including cul-de-sac (Lots 15 thru 20, Block 7) to serve Brentwood South Addition - north of Pawnee, east of Webb. (472-83445/765790/490901) Does not affect existing traffic. (District II)

Cornejo & Sons Construction - \$286,489.00 (Negotiated to Engineer's estimate)

Glenwood from the south line of Bridlewood to the south line of 21st Street North; Glenwood Circle from the south line of Bridlewood serving Lots 7 thru 16, Block 2, to and including the cul-de-sacs; Glenwood Court from the west line of Glenwood serving Lots 1 thru 13, Block 1, to and including the cul-de-sac; Glenwood Court from the west line of Glenwood serving Lots 14 thru 23, Block 1 to and including the cul-de-sac; Glenwood Court from the west line of Glenwood serving Lots 24 thru 33, Block 1 to and including the cul-de-sac; Bridlewood from the west line of Glenwood to the west line of Lot 16, Block 2 with a sidewalk on one side. Sidewalk on one side of Greenwood from the north line of Bridlewood to the north line of Lot 1, Block 2. An 8 foot sidewalk on one side of Glenwood from Reed's Cove to 21st Street North to serve Reed's Cove Addition (south of 21st Street North, east of 127th Street East) (472-83680/765779/490890) Does not affect existing traffic. (District II)

Cornejo & Sons Construction - \$182,887.05

Main 19 Southwest Interceptor Sewer along Ridge Road from 29th Street North to 37th Street North, and along 37th Street North from 1/4 mile west of Ridge Road to 1/2 mile east of Ridge Road - along Ridge Road from 29th Street North to 37th Street North. (468-83186/743990/480678) Traffic to be maintained during construction using flagpersons and barricades. (District V)

Wildcat Construction - \$2,438,289.00

Motion --

-- carried

Mayans moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the Mayor be authorized to sign for the City. Motion carried 6 to 0. (Lambke absent)

PUBLIC WORKS DEPARTMENT/STORM WATER MANAGEMENT DIVISION: Drainage Improvements Athenian and 53rd Street. (660486)

WB Carter Construction Co. - \$83,531.00 (Total net bid)

AIRPORT AGENDA/ENGINEERING DIVISION: Asphalt Pavement Rehabilitation. (501170)

Cornejo & Sons Inc. - \$393,859.75 (Total net bid)

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POLICE DEPARTMENT/INVESTIGATIONS, FIELD SERVICES & SUPPORT SERVICES: PC's for Police/RQ301142. (602126 & 602123)

Dell Marketing. L.P. - \$58,621.00 (WSCA Contract #92-00151)\*

\*Utilizing the State of Kansas Contract for Software Purchases. Purchasing utilizing Government Entities Contracts, Cooperative Contracts and Agreements/Ordinance No. 38-122 Section 2.64.020 (j).

Motion --  
-- carried

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 6 to 0. (Lambke absent)

**CMB**

## **APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES:**

<u>New Operator</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
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Cynthia Morris	Fleming Food Store #F-536	3233 North Rock Road
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\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --  
-- carried

Mayans moved that the license application be approved, subject to staff review and approval. Motion carried 6 to 0. (Lambke absent)

**DEEDS/EASEMENTS**

## **DEEDS AND EASEMENTS:**

a) Drainage and Utility Easement dated May 29, 2003 from Prairie View, Inc. for a tract of land in Lot 5, Block 1, Legacy Park Wilson Estates 2nd, an Addition to Wichita, Sedgwick County, Kansas (Private Project). No cost to City.

Motion--carried

Mayans moved that the documents be accepted. Motion carried 6-0. (Lambke absent)

(Item No. 16)

**STATEMENTS/COST**

## **STATEMENTS OF COST:**

a) Improving Decel Lane on the north side of 21st Street, from the east line of Webb Road to the east line of Lot 4, Block 1, to serve Tallgrass East Commercial. (north of 21st Street, east of Webb Road). Total Cost - \$46,927.24 (plus idle fund interest - \$2,556.55, plus temporary note interest - \$3,652.21). Financing to be issued at this time - \$53,136.00. (765446/472-81901/490-646).

b) Improving Left Turn Lane and Decel Lane on 21st Street at Clubhouse Drive to serve Tallgrass East 3rd and 4th Addition (north of 21st Street, east of Webb). Total Cost - \$19,915.98 (plus idle fund interest - \$1,084.81, plus temporary note interest - \$1,468.21). Financing to be issued at this time - \$22,469.00. (765438/472-81973/490-645).

c) Improving Decel and Left Turn Lanes in 21st Street North from the Northwest Corner of Lot 1, Block 1 to the Northeast corner of Lot 1, Block 1, to serve Legacy Park Wilson Estates Addition (south of 21st Street North, west of Webb Road). Total Cost - \$149,698.05 (plus idle fund interest - \$4,624.17, plus temporary note interest - \$7,195.78). Financing to be issued at this time - \$161,518.00. (765632/472-83231/490-743).

d) Improving 127th Street East to serve the Church of the Magdalen Addition (north of 21st Street North, west of 127th Street East). Total Cost - \$65,564.96 (plus idle fund interest - \$1,107.01, plus temporary note interest - \$410.03). Financing to be issued at this time - \$67,082.00. (765726/472-83308/490-837).



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- e) Improving Cedar Crest to serve Cedar Downs, Cedar Downs Second, Cedar Downs Third, and Burchfield Second Additions (north of 21st Street North, west of 119th Street West). Total Cost - \$189,325.01 (plus idle fund interest - \$2,865.21, plus temporary note interest - \$2,367.78). Financing to be issued at this time - \$194,558.00. (765668/472-83309/490-779).
- f) Improving Cedar Downs to serve Cedar Downs Third Addition (north of 21st Street North, west of 119th Street West). Total Cost - \$148,315.91 (plus idle fund interest - \$2,163.60, plus temporary note interest - \$1,887.49). Financing to be issued at this time - \$152,367.00. (765667/472-83310/490-778).
- g) Improving Wheatridge to serve Cedar Downs Third Addition (north of 21st Street North, west of 119th Street West). Total Cost - \$125,985.55 (plus idle fund interest - \$1,815.57 plus temporary note interest - \$1,664.88). Financing to be issued at this time - \$129,466.00. (765669/472-83311/490-780).
- h) Improving 127th Street East to serve The Fairmont Addition (north of 21st Street North, west of 127th Street East). Total Cost - \$114,952.15 (plus idle fund interest - \$1,451.01, plus temporary note interest - \$977.84). Financing to be issued at this time - \$117,381.00. (765715/472-83488/490-826).
- i) Improving 29th Street North to serve Regency Park, Soccer Fields, Baseball Fields (29th Street North, west of Greenwich). Total Cost - \$207,833.37 (plus idle fund interest - \$4,805.06 plus temporary note interest - \$11,702.57). Financing to be issued at this time - \$224,341.00 (765588/472-83069/490-699).
- j) Improving Eastbound Deceleration Lane on the South Side of 21st Street from a point 820 feet east of centerline of Webb Road to a point 1200 feet east of centerline of Webb Road (south of 21st Street, east of Webb Road). Total Cost - \$47,737.17 (plus idle fund interest - \$703.88, plus temporary note interest - \$3,693.95). Financing to be issued at this time - \$52,135.00. (765453/472-89243/490-647).
- k) Improving Water Distribution System to serve Forest Lakes Addition (north of 29th Street North, west of Ridge). Total Cost - \$35,025.94 (plus idle fund interest - \$349.16, plus temporary note interest - \$374.90). Financing to be issued at this time - \$35,750.00. (735071/448-88708/470-741).
- l) Improving Water Distribution System to serve Forest Lakes West Addition (north of 29th Street North, east of Tyler). Total Cost - \$34,094.93 (plus idle fund interest - \$633.07, plus temporary note interest - \$0). Financing to be issued at this time - \$34,728.00. (735119/448-89205/470-789).
- m) Improving Water Distribution System to serve Highland Springs 2nd Addition (west of 135th Street West, south of Central). Total Cost - \$48,879.96 (plus idle fund interest - \$388.98, plus temporary note interest - \$492.06). Financing to be issued at this time - \$49,761.00. (735076/448-89428/470-746).
- n) Improving Water Distribution System to serve Evergreen Addition (north of 21st Street North, west of Maize Road). Total Cost - \$58,910.07 (plus idle fund interest - \$1,255.93, plus temporary note interest - \$0). Financing to be issued at this time - \$60,166.00. (735081/448-89490/470-751).
- o) Improving Water Distribution System to serve Remington Place Addition (south of 21st Street North, east of Webb). Total Cost - \$80,061.74 (plus idle fund interest - \$540.03, plus temporary note interest - \$1,874.23). Financing to be issued at this time - \$82,476.00. (735027/448-89568/470-697).
- p) Improving Water Distribution System to serve Flat Creek Addition (north of Pawnee, east of 119th Street West). Total Cost - \$65,825.47 (plus idle fund interest - \$440.02, plus temporary note interest - \$761.51). Financing to be issued at this time - \$67,027.00. (735070/448-89583/470-740).
- q) Improving Water Distribution System to serve Ridge Port North 4th Addition (south of 37th Street North, east of Ridge). Total Cost - \$58,779.85 (plus idle fund interest - \$549.09, plus temporary note interest - \$656.06). Financing to be issued at this time - \$59,985.00. (735063/448-89592/470-733).

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- r) Improving Water Distribution System to serve Legacy Addition (west of Meridian, north of 47th Street South). Total Cost - \$32,511.11 (plus idle fund interest - \$393.52, plus temporary note interest - \$596.37). Financing to be issued at this time - \$33,501.00. (735034/448-89630/470-704).
- s) Improving Water Distribution System to serve Eagles Landing at North Oliver 2nd Addition (south of 45th Street North, west of Oliver). Total Cost - \$50,666.05 (plus idle fund interest - \$511.05, plus temporary note interest - \$374.90). Financing to be issued at this time - \$51,552.00. (735078/448-89651/470-748).
- t) Improving Water Distribution System to serve Springdale East 2nd Addition (south of Kellogg, east of 143rd Street East). Total Cost - \$46,444.76 (plus idle fund interest - \$1,003.24, plus temporary note interest - \$0). Financing to be issued at this time - \$47,448.00. (735093/448-89658/470-763).
- u) Improving Water Distribution System to serve McClaren Addition (north of Central, east of Webb). Total Cost - \$576.59 (plus idle fund interest - \$10.41, plus temporary note interest - \$0). Financing to be issued at this time - \$587.00. (735054/448-89664/470-724).
- v) Improving Water Distribution System to serve Gray's 5th Addition (north of 47th Street South, east of Hoover) Total Cost - \$52,549.72 (plus idle fund interest - \$1,029.28, plus temporary note interest - \$0). Financing to be issued at this time - \$53,579.00. (735085/448-89680/470-755).
- w) Improving Water Distribution System to serve Gray's 5th Addition (north of 47th Street South, east of Hoover). Total Cost - \$48,313.39 (plus idle fund interest - \$1,082.61, plus temporary note interest - \$0). Financing to be issued at this time - \$49,396.00. (735084/448-89682/470-754).
- x) Improving Water Distribution System to serve Mediterranean Plaza Addition (west of Webb, south of 37th Street North). Total Cost - \$23,183.40 (plus idle fund interest - \$146.15, plus temporary note interest - \$269.45). Financing to be issued at this time - \$23,599.00. (735068/448-89686/470-738).
- y) Improving Water Distribution System to serve Chadsworth Plaza (north of 21st Street North, east of Maize). Total Cost - \$23,619.47 (plus idle fund interest - \$145.79, plus temporary note interest - \$257.74). Financing to be issued at this time - \$24,023.00. (735074/448-89691/470-744).
- z) Improving Water Distribution System to serve Fossil Rim Estates (east of Tyler, south of 29th Street North). Total Cost - \$123,962.78 (plus idle fund interest - \$736.68, plus temporary note interest - \$1,171.54). Financing to be issued at this time - \$125,871.00. (735075/448-89697/470-745).
- aa) Improving Water Distribution System to serve Ridge Port Commercial Park and Ridge Port 2nd Addition (north of 29th Street North, west of Ridge). Total Cost - \$94,968.44 (plus idle fund interest - \$564.57, plus temporary note interest - \$1,112.99). Financing to be issued at this time - \$96,646.00. (735069/448-89699/470-739).
- bb) Improving Water Distribution System to serve Northeast Middle School Addition (south of 45th Street North, west of Oliver). Total Cost - \$45,092.43 (plus idle fund interest - \$284.38, plus temporary note interest - \$527.19). Financing to be issued at this time - \$45,904.00. (735072/448-89703/470-742).
- cc) Improving Water Distribution System to serve Bebe from Central to Elm and Elm from Bebe to approx. 630 ft. west of Bebe to serve Sunnyside Gardens Addition (along Bebe, north of Central). Total Cost - \$37,888.58 (plus idle fund interest - \$761.42, plus temporary note interest - \$0). Financing to be issued at this time - \$38,650.00. (735080/448-89709/470-750).
- dd) Improving Water Distribution System to serve Carpenters Local Union No. 201 Addition (along Carey Lane, west of Seneca). Total Cost - \$24,828.84 (plus idle fund interest - \$619.16, plus temporary note interest - \$0). Financing to be issued at this time - \$25,448.00. (735077/448-89710/470-747).

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ee) Improving Water Distribution System to serve Savanna at Castle Rock Ranch 9th Addition (north of 13th Street North, east of 143rd Street East). Total Cost - \$45,837.77 (plus idle fund interest - \$396.88, plus temporary note interest - \$316.35). Financing to be issued at this time - \$46,551.00. (735079/448-89717/470-749).

ff) Improving Water Distribution System to serve Valley Acres (south of 13th Street, west of Meridian). Total Cost - \$9,038.30 (plus idle fund interest - \$247.70, plus temporary note interest - \$0). Financing to be issued at this time - \$9,286.00. (735082/448-89719/470-752).

gg) Improving Water Distribution System to serve Hawthorne Addition (north of 21st North, east of 127th Street East). Total Cost - \$36,842.82 (plus idle fund interest - \$724.18, plus temporary note interest - \$0). Financing to be issued at this time - \$37,567.00. (735086/448-89727/470-756).

hh) Improving Water Distribution System to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$28,892.01 (plus idle fund interest - \$552.99, plus temporary note interest - \$0). Financing to be issued at this time - \$29,445.00. (735088/448-89732/470-758).

ii) Improving Water Distribution System to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$45,468.02 (plus idle fund interest - \$867.98, plus temporary note interest - \$0). Financing to be issued at this time - \$46,336.00. (735089/448-89735/470-759).

jj) Improving Water Distribution System to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$30,597.00 (plus idle fund interest - \$603.00 plus temporary note interest - \$0). Financing to be issued at this time - \$31,200.00. (735090/448-89736/470-760).

kk) Improving Water Distribution System to serve South High School Addition (east of Seneca, south of 31st Street South). Total Cost - \$9,431.91 (plus idle fund interest - \$179.09 plus temporary note interest - \$0). Financing to be issued at this time - \$9,611.00. (735094/448-89743/470-764).

ll) Improving Water Distribution System for Reflection Ridge 3rd Addition (north of 21st Street North, east of Tyler). Total Cost - \$28,630.12 (plus idle fund interest - \$586.88 plus temporary note interest - \$0). Financing to be issued at this time - \$29,217.00. (735102/448-89751/470-772).

mm) Improving Water Distribution System to serve Shadow Ridge Addition (north of 31st Street South, east of Hillside). Total Cost - \$19,022.08 (plus idle fund interest - \$355.92 plus temporary note interest - \$0). Financing to be issued at this time - \$19,378.00. (735112/448-89759/470-782).

nn) Improving Water Distribution System to serve Wilson Estates Medical Park (south of 21st Street North, west of Webb Road). Total Cost - \$49,259.37 (plus idle fund interest - \$940.63 plus temporary note interest - \$0). Financing to be issued at this time - \$50,200.00. (735100/448-89761/470-770).

oo) Improving Water Distribution System to serve Power CDC 2nd Addition (north of 25th Street North, west of Grove). Total Cost - \$37,849.53 (plus idle fund interest - \$713.47 plus temporary note interest - \$0). Financing to be issued at this time - \$38,563.00. (735107/448-89762/470-777).

pp) Improving Lateral 95, Sanitary Sewer #23 to serve and unplatted tract (south of 37th Street North, west of Woodlawn). Total Cost - \$3,663.02 (plus idle fund interest - \$764.98 plus temporary note interest - \$0). Financing to be issued at this time - \$4,428.00. (743518/468-82832/480-442).

qq) Improving Lateral 88, Main 1, Southwest Interceptor Sewer to serve Bosley's 1st Addition, Stardust Addition, and Unplatted tracts (along Broadway, north of MacArthur). Total Cost - \$173,789.31 (plus idle fund interest - \$1,862.39 plus temporary note interest - \$3,218.30). Financing to be issued at this time - \$178,870.00. (743793/468-82967/480-481).

rr) Improving Lateral 24, Cowskin Interceptor Sewer to serve Highland Springs 2nd Addition (west of 135th Street West, south of Central). Total Cost - \$90,817.91 (plus idle fund interest - \$676.26 plus temporary note interest - \$995.83). Financing to be issued at this time - \$92,490.00. (743938/468-83029/480-626).

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ss) Improving Storm Water Sewer 528 to serve Highland Springs 2nd Addition (south of Central, west of 135th Street West). Total Cost - \$45,300.39 (plus idle fund interest - \$1,090.61 plus temporary note interest - \$0). Financing to be issued at this time - \$46,391.00. (751319/468-83034/485-210).

tt) Improving Storm Water Sewer 532 to serve Regency Park Addition (north of K-96, west of Greenwich Road) Total Cost - \$323,683.89 (plus idle fund interest - \$9,778.94 plus temporary note interest - \$17,967.17). Financing to be issued at this time - \$351,430.00. (751286/468-83065/485-177).

uu) Improving Lateral 462, Southwest Interceptor Sewer to serve Evergreen Addition (north of 21st Street North, west of Maize Road). Total Cost - \$73,499.71 (plus idle fund interest - \$1,696.29 plus temporary note interest - \$0). Financing to be issued at this time - \$75,196.00. (743947/468-3148/480-635).

vv) Improving Storm Water Sewer 541 to serve Ridge Port North 3rd and 4th Additions (south of 37th Street North, east of Ridge). Total Cost - \$390,852.50 (plus idle fund interest - \$7,313.35 plus temporary note interest - \$7,046.15). Financing to be issued at this time - \$405,212.00. (751303/468-83165/485-194).

ww) Improving Main 12, Sanitary Sewer #23 to serve Eagles Landing at North Oliver 2nd Addition (south of 45th Street North, west of Oliver). Total Cost - \$1,345,380.69 (plus idle fund interest - \$14,697.73 plus temporary note interest - \$16,669.58). Financing to be issued at this time - \$1,376,748.00. (743903/468-83241/480-591).

xx) Improving Lateral 3, Main 19, Southwest Interceptor Sewer to serve Ridgeport 4th Addition (south of 37th Street North, east of Ridge). Total Cost - \$142,472.80 (plus idle fund interest - \$1,690.73 plus temporary note interest - \$1,628.47). Financing to be issued at this time - \$145,792.00. (743924/468-83276/480-612).

yy) Improving Lateral 1, Main 12, Sanitary Sewer #23 to serve Eagles Landing at North Oliver 2nd Addition (west of Oliver, south of 45th Street North). Total Cost - \$232,866.78 (plus idle fund interest - \$3,278.79 plus temporary note interest - \$2,659.43). Financing to be issued at this time - \$238,805.00. (743916/468-83284/480-604).

zz) Improving Lateral 2, Main 12, Sanitary Sewer #23 to serve Eagles Landing at North Oliver 2nd Addition (south of 45th Street North, west of Oliver). Total Cost - \$143,356.34 (plus idle fund interest - \$1,028.09 plus temporary note interest - \$1,581.57). Financing to be issued at this time - \$145,966.00. (743940/468-83285/480-628).

aaa) Improving Lateral 3, Main 12, Sanitary Sewer #23 to serve Eagles Landing at North Oliver 2nd Addition (south of 45th Street North, west of Oliver). Total Cost - \$101,491.20 (plus idle fund interest - \$1,017.13 plus temporary note interest - \$878.67). Financing to be issued at this time - \$103,387.00. (743941/468-83286/480-625).

bbb) Improving Lateral 317, Four Mile Creek Sewer to serve an Unplatted tract (west of 127th Street East, north of Harry). Total Cost - \$3,505.51 (plus idle fund interest - \$154.49 plus temporary note interest - \$0). Financing to be issued at this time - \$3,660.00. (743890/468-83329/480-578).

ccc) Improving Lateral 481, Southwest Interceptor Sewer to serve Legacy Addition (west of Meridian, north of 47th Street South). Total Cost - \$43,100.49 (plus idle fund interest - \$538.05 plus temporary note interest - \$665.46). Financing to be issued at this time - \$44,304.00. (743899/468-83350/480-587).

ddd) Improving Storm Water Drain 182 to serve The Legacy Addition (north of 47th Street South, west of Meridian). Total Cost - \$232,184.75 (plus idle fund interest - \$3,296.03 plus temporary note interest - \$2,650.22). Financing to be issued at this time - \$238,131.00. (751306/468-83351/485-197).

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eee) Improving Lateral 4, Main 19, Southwest Interceptor Sewer to serve Ridge Port Commercial Park (north of 29th Street North, west of Ridge). Total Cost - \$121,577.11 (plus idle fund interest - \$917.87 plus temporary note interest - \$1,359.02). Financing to be issued at this time - \$123,854.00. (743927/468-83386/480-615).

fff) Improving Main 11, Four Mile Creek Sewer to serve the Fairmount Addition (north of 21st Street North, west of 127th Street East). Total Cost - \$227,499.04 (plus idle fund interest - \$3,110.86 plus temporary note interest - \$2,733.10). Financing to be issued at this time - \$233,343.00. (743913/468-83399/480-601).

ggg) Improving Lateral 141, Main 4, Sanitary Sewer #23 to serve Unplatted Tract (west of Arkansas, north of 31st Street). Total Cost - \$12,021.49 (plus idle fund interest - \$329.51 plus temporary note interest - \$0). Financing to be issued at this time - \$12,351.00. (743922/468-83427/480-610).

hhh) Improving Main 21, Southwest Interceptor Sewer to serve Gray's 5th Addition (north of 47th Street South, east of Hoover). Total Cost - \$73,675.20 (plus idle fund interest - \$1,634.80 plus temporary note interest - \$0). Financing to be issued at this time - \$75,310.00. (743950/468-83429/480-638).

iii) Improving Lateral 1, Main 21, Southwest Interceptor Sewer to serve Gray's 5th Addition (north of 47th Street, east of Hoover). Total Cost - \$153,837.88 (plus idle fund interest - \$3,202.12 plus temporary note interest \$0). Financing to be issued at this time - \$157,040.00. (743951/468-83430/480-639).

jjj) Improving Lateral 484, Southwest Interceptor Sewer to serve Bike & Rider Addition (north of Pawnee, east of Maize). Total Cost - \$2,184.83 (plus idle fund interest - \$55.17 plus temporary note interest - \$0). Financing to be issued at this time - \$2,240.00. (743923/468-83432/480-611).

kkk) Improving Lateral 3, Main 2, Northwest Interceptor Sewer to serve Chadsworth Plaza (north of 21st Street North, east of Maize). Total Cost - \$25,069.89 (plus idle fund interest - \$161.66 plus temporary note interest - \$269.45). Financing to be issued at this time - \$25,501.00. (743936/468-83447/480-624).

lll) Improving Lateral 485, Southwest Interceptor Sewer to serve Fossil Rim Estates Addition and Unplatted Tract A (south of 29th Street North, east of Tyler Road). Total Cost - \$253,137.15 (plus idle fund interest - \$1,798.29 plus temporary note interest - \$2,694.56). Financing to be issued at this time - \$257,630.00. (743937/468-83448/480-625).

mmm) Improving Storm Water Sewer 572 to serve Ridgeport Commercial Park and Ridge Port 2nd Addition (north of 29th Street North, west of Ridge). Total Cost - \$211,642.11 (plus idle fund interest - \$1,501.75 plus temporary note interest - \$2,343.14). Financing to be issued at this time - \$215,487.00. (751317/468-83465/485-208).

nnn) Improving Lateral 269, Main 5, Sanitary Sewer #22 to serve Ray Allen Addition (north of 9th, west of Hoover). Total Cost - \$13,209.56 (plus idle fund interest - \$289.44 plus temporary note interest - \$0). Financing to be issued at this time - \$13,499.00. (743939/468-83480/480-627).

ooo) Improving Lateral 3, Main 11, Sanitary Sewer #23 to serve Sawmill Creek Addition (north of 45th Street North, east of Rock). Total Cost - \$130,890.37 (plus idle fund interest - \$2,950.63 plus temporary note interest - \$0). Financing to be issued at this time - \$133,841.00. (743948/468-83486/480-636).

ppp) Improving Lateral 39, Main 24, War Industries Sewer to serve the Waterfront Addition (north of 13th Street North, east of Webb). Total Cost - \$50,815.02 (plus idle fund interest - \$1,289.98 plus temporary note interest - \$0). Financing to be issued at this time - \$52,105.00. (743946/468-83495/480-634).

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qqq) Improving Lateral 338, Four Mile Creek Sewer to serve Savanna at Castle Rock Ranch Addition 9th Addition (north of 13th Street North, east of 143rd Street East). Total Cost - \$120,219.87 (plus idle fund interest - \$1,018.75 plus temporary note interest - \$1,054.38). Financing to be issued at this time - \$122,293.00. (743943/468-83497/480-631).

rrr) Improving Main 12, Four Mile Creek Sewer to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$138,117.19 (plus idle fund interest - \$2,894.81 plus temporary note interest - \$0). Financing to be issued at this time - \$141,012.00. (743952/468-83505/480-640).

sss) Improving Lateral 1, Main 13 Four Mile Creek Sewer to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$93,630.42 (plus idle fund interest - \$1,933.58 plus temporary note interest - \$0). Financing to be issued at this time - \$95,564.00. (743955/468-83507/480-643).

ttt) Improving Lateral 1, Main 12, Four Mile Creek Sewer to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East) Total Cost - \$41,871.89 (plus idle fund interest - \$823.11 plus temporary note interest - \$0). Financing to be issued at this time - \$42,695.00. (743953/468-83510/480-641).

uuu) Improving Lateral 4, Main 12, Four Mile Creek Sewer to serve Hawthorne Addition (north of 21st Street North, east of 127th Street East). Total Cost - \$45,434.46 (plus idle fund interest - \$927.54 plus temporary note interest - \$0). Financing to be issued at this time - \$46,362.00. (743954/468-83513/480-642).

vvv) Improving Storm Water Sewer #576 to serve The Executive at White Tail Addition (south of 13th Street North, east of K-96). Total Cost - \$20,546.54 (plus idle fund interest - \$381.46 plus temporary note interest - \$0). Financing to be issued at this time - \$20,928.00. (751331/468-83522485-222).

www) Improving Lateral 40, Main 15, Southwest Interceptor Sewer to serve Reflection Ridge 3rd Addition (north of 21st Street North, east of Tyler). Total Cost - \$23,689.89 (plus idle fund interest - \$469.11 plus temporary note interest - \$0). Financing to be issued at this time - \$24,159.00. (743966/468-83537/480-654).

xxx) Improving Lateral 42, Main 24, War Industries Sewer to serve Wilson Estate Medical Park (south of 21st Street North, west of Webb Road) Total Cost - \$81,977.78 (plus idle fund interest - \$1,592.22 plus temporary note interest - \$0). Financing to be issued at this time - \$83,570.00. (743963/468-83563/480-651).

yyy) Improving Main 14, Four Mile Creek Sewer to serve Reed's Cove (south of 21st Street, east of 127th Street East). Total Cost - \$205,577.86 (plus idle fund interest - \$4,119.14 plus temporary note interest - \$0). Financing to be issued at this time - \$209,697.00 (743961/468-83565/480-649).

Motion --  
-- carried

Mayans moved that the Statements of Cost, except Items 16 v, w, hhh, and iii be approved. Motion carried 6 to 0. (Lambke absent)

Motion --  
-- carried

Mayans moved that the Statement of Costs, Items 16 v, w, hhh, and iii be approved. Motion carried 5 to 0. (Lambke absent, Gray abstained.)

## PETITIONS

### **PETITIONS FOR SANITARY SEWER AND WATER DISTRIBUTION SYSTEM TO SERVE LOT 1,BLOCK 1, DUGAN INDUSTRIAL SECOND ADDITION - NORTH OF K-42 HIGHWAY, EAST OF MAIZE ROAD. (DISTRICT IV)**

Agenda Report No. 03-0764

The Petitions have been signed by one owner, representing 100% of the improvement districts.

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These projects will provide sanitary sewer and water service to an industrial park located north of K-42 Highway, east of Maize Road.

The Petitions total \$37,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion --  
-- carried

Mayans moved that the Petitions be approved and the Resolutions be adopted. Motion carried 6 to 0. (Lambke absent)

## RESOLUTION NO. 03-363

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89855 (north of K-42 Highway, east of Maize Road), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-364

Resolution of findings of advisability and Resolution authorizing improving of Lateral 1, Main 3, Cowskin Interceptor Sewer (north of K-42 Highway, east of Maize Road), 468-83669 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## BOARD/COMM.

### MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Wichita Employees' Retirement Police & Fire Board, April 23, 2003  
Alternative Correctional Housing Advisory Board, April 24, 2003  
District VI Advisory Board, May 5, 2003  
Wichita Employees' Retirement System Board, May 28, 2003  
Police & Fire Retirement Board, May 28, 2003  
Design Council Board, June 19, 2003

Motion – carried

Mayans moved that the Minutes be received and filed. Motion carried 7 to 0.

## STREET CLOSURES

### CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 03-0785

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted:

Victory in the Valley, East Vs. West Walk/Run, Sunday, Aug. 31 – 5:00-8:30 p.m.  
First Street – Topeka to Mosley  
Rock Island – Douglas to Second (one side only to allow pedestrian access to businesses)  
Second Street – Mosley to Emporia  
St. Francis – Douglas to Third Street  
Emporia – Third Street to Douglas

Police security is arranged to remove blockades as necessary to allow emergency vehicle access during entire designated time period

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Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Mayans moved that the request be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 6 to 0. (Lambke absent)

-- carried

## CLAIMS

### REPORT ON CLAIMS ALLOWED JUNE, 2003:

<u>Name of Claimant</u>	<u>Amount</u>
Bartsch, Charlotte	\$139.20
Hill, Glen W.	\$400.00**
Kansas Gas Service	\$363.44**
Kansas Gas Service	\$1,237.97
Nguyen, Khuoc Thi	\$195.00
Nolan, Beauty M.	\$580.00
Price, Tina Marie	\$347.50**

\*\* Settled for lesser amount than claimed.

Motion--carried

Mayans moved that the report be received and filed. Motion carried 6-0. (Lambke absent)

## AGREEMENT/CONT

### SENECA AND MAPLE INTERSECTION SUPPLEMENTAL (District IV)

Agenda Report No. 03-0765

On April 18, 2000, the City Council approved an Agreement with the Kansas Department of Transportation (KDOT) for the City to provide the construction engineering services for the intersection of Seneca and Maple, and for KDOT to reimburse the City for 90% of the cost with an upper limit of \$59,060.40.

At completion of the project, it was discovered that more time was required than figured in the original estimate. The City had to provide additional inspection services for additional days that were not anticipated when the initial Agreement was prepared.

KDOT has agreed to increase the upper limit of compensation to \$73,850.51 to reimburse the City for additional work. The Supplemental Agreement has been prepared.

Motion--

Mayans moved that the Supplemental Agreement be approved and the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

-- carried

## LOT CLEANUP

### PRIVATE LOT CLEANUP

Agenda Report No.03-0766

The Department of Environmental Health supports neighborhood maintenance and improvement through abatement of nuisances under Titles 7 and 8 of the City Code. Kansas law and local ordinances allow the City to clean up private property that is in violation of environmental standards after proper notification of the responsible party.

A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment. Two contractors submit not-to-exceed estimates on each property to be cleaned, based on a set hourly labor and equipment schedule, and a work order is issued to the



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contractor furnishing the low estimate. The current contract expires on July 31; eight proposals were received in response to the City's Request for Proposal issued on May 23.

A panel consisting of staff from the Environmental Health Department, Office of Central Inspection, and Purchasing Office reviewed proposals on June 25. Proposals were evaluated on the basis of qualifications, experience, references, and costs. Based on these criteria the review panel recommends award of the contracts to Green-Glo and H.D. Mills & Sons.

Funding for private lot cleanup has been provided in the City's 2003 adopted and 2004 proposed budgets.

The Law Department will review and approve the contracts as to form. The contracts will be for one year with an annual renewal options for an additional two years.

Motion--  
--carried

Mayans moved that the Agreements/Contracts be approved and the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

## DESIGN AGRMTS

### **SAVANNA AT CASTLE ROCK RANCH NINTH ADDITION - NORTH OF 13TH, EAST OF 143RD STREET EAST.** (District II)

Agenda Report No. 03-0767

The City Council approved the project on October 1, 2002.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Savanna at Castle Rock Ranch 9th Addition. Per Administrative Regulation 7a, staff recommends the selection of PEC as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$19,000, and will be paid by special assessments.

Motion--  
-- carried

Mayans moved that the Agreement be approved and that the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

### **HARRY AND MCLEAN, AND LINCOLN AND MCLEAN INTERSECTIONS - SUPPLEMENTAL.** (Districts III and IV)

Agenda Report No. 03-0768

On March 27, 2001, the City entered into an Agreement with Baughman Company, P.A. for designing improvements to the intersections of Harry & McLean and Lincoln & McLean. The fee was \$100,000.

The proposed Supplemental Agreement between the City and Baughman provides for additional design services for extending Harry and McLean to the west to accommodate the eastbound left turn lane.

Payment will be on a lump sum basis of \$8,200 and will be paid by General Obligation Bonds.

Motion--  
-- carried

Mayans moved that the Agreement be approved and that the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

### **CENTRAL FROM WOODLAWN TO ROCK ROAD - SUPPLEMENTAL.** (District II)

Agenda Report No. 03-0769

On April 16, 2002, the City entered into an Agreement with Ruggles & Bohm, P.A. (R&B) for designing improvements to Central from Woodlawn to Rock Road. The fee was \$124,260.

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The proposed Supplemental Agreement between the City and R&B provides for additional design services because the sanitary sewer replacement needs to be extended farther east to Broadmoor rather than Rutland.

Payment will be on a lump sum basis of \$2,200 and will be paid by General Obligation Bonds.

Motion--  
-- carried

Mayans moved that the Agreement be approved and that the necessary signatures be authorized.  
Motion carried 6-0. (Lambke absent)

## GRANT

### KANSAS EMERGENCY SHELTER GRANT PROGRAM.

Agenda Report No. 03-0770

The State of Kansas receives Emergency Shelter Grant funds under the Stewart B. McKinney Homeless Assistance Act, which are in turn awarded to local units of government on behalf of homeless service providers. During its February 4, 2003 meeting the City Council approved the submission of a 2003 Kansas Emergency Shelter Grant Program (KESGP) application for \$187,715 to fund seven local homeless service providers.

The City received notification it was awarded \$60,039 in 2003 KESGP funds. Of that amount, \$58,500 is available in four program categories for allocation to agencies. The balance of funding, \$1,539, will be retained by the City to offset administrative expenses. On June 17, 2003 the Community Council on Homeless Advocacy (CCHA - formerly the Homeless Task Force) met to provide the City Council with its recommendations for allocating the available KESGP funds.

The total agency requests and the amount of the 2003 KESGP grant awarded are:

Program Category	Total Requested	Amount Awarded
Rehabilitation	\$ 15,000	\$ 7,000
Operations	115,102	30,000
Essential Services	37,613	13,000
Homeless Prevention	<u>20,000</u>	<u>8,500</u>
TOTAL	\$187,715	\$58,500

The CCHA recommendations for allocation of the awarded funds are as follows:

Agency	Rehab.	Operations	Essential Serv.	Homeless Prevention	Totals
Center of Hope				\$8,500	\$8,500
Inter-Faith Inn	\$7,000		\$10,887		\$17,887
Catholic Charities. A. Family Shelter		\$7,646	\$2,113		\$9,759
Salvation Army		\$10,000			\$10,000
UMUM		\$10,000			\$10,000
YWCA		\$2,354			\$2,354
Totals	\$7,000	\$30,000	\$13,000	\$8,500	\$58,500

The CCHA recommendations would provide funding for the following projects:

Center of Hope - Homeless Prevention funding in the amount of \$8,500 would be provided to families facing evictions and utility shut-offs.

Inter-Faith Ministries – Rehabilitation funding in the amount of \$7,000 would be provided to renovate a third floor area, which will be converted to a Child and Adult Resource Education Care at Inter-Faith Inn. Essential Services funding of \$10,887 would enable Inter-Faith Inn to continue its case management services.

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Catholic Charities Anthony Family Shelter – Operational funding in the amount of \$9,759 would be provided for the 32-bed shelter.

Salvation Army Emergency Lodge – Operations funding in the amount of \$10,000 would be provided for the 16 bed emergency shelter.

United Methodist Urban Ministry – Operations funding the amount of \$10,000 would be provided for the drop in center.

YWCA Women's Crises Center – Operations funding in the amount of \$2,354 would be provided for the domestic violence shelter.

City of Wichita – Administration funding in the amount of \$1,539 would be provided for the City's administrative costs.

Each provider will be required to provide a dollar for dollar match for allocated funds. Acceptance of the KESGP funds will obligate no general fund money.

All KESGP funds allocated to homeless service providers will be distributed under individual provider contracts approved as to form by the City Law Department

Motion --  
-- carried

Mayans moved that receipt of the funding, and final agency allocations for awarded 2003 KESGP funds be approved; and the necessary signatures be authorized. Motion carried 6 to 0. (Lambke absent)

(Item No. 24)

## MAIN ST RECON.

### MAIN STREET RECONSTRUCTION - DOUGLAS TO MURDOCK. (District VI)

Agenda Report No. 03-0771.

The 2002/2003 Capital Improvement Program includes funds to improve Main Street between Douglas and Murdock. On November 5, 2002, the City Council disapproved a proposal to convert Main to two-way traffic.

Because the existing pavement is severely deteriorated, the project has been revised to provide for the rehabilitation of the roadway. The current one-way traffic flow will not be modified. The project is scheduled for letting this summer. A supplemental agreement with Ruggles & Bohm, design engineers, to modify the construction plans has been prepared.

The project budget is \$1,477,000. The funding source is General Obligation Bonds. The supplemental design fee is \$12,000.

Council Member Fearey

Council Member Fearey said Council Member Gray had requested that the City Council look again at the work to be done on Main Street. Last year the funds were set aside to do Main Street repairs.

Motion --  
-- carried

Fearey moved that this Item be deferred to allow Staff review a return to a two-way Main Street in the next Capital Improvement Program. Motion carried 6 to 0. (Lambke absent)

## WATER DISTRIB.

### WATER DISTRIBUTION MAINS FOR FUTURE DEVELOPMENT.

Agenda Report No. 03-0772

This project is included in the ten-year Capital Improvement Program to serve future developments and newly annexed areas. It provides for the City's share in funding the installation of new water mains. These mains serve as the backbone of the system and establish the current service area of the water distribution system.

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The Water Master Plan indicates the need to extend the water distribution system where future growth and development is occurring. This is primarily due to growth outside of, or in addition to, the growth area of the city that was anticipated at the time of the master plan preparation. These projects are identified when a petition for water system extensions is received. The water utility pays for links and over sizing of the water system in developments. Funds are also used to design and relocate water mains for future Public Works projects.

Unidentified Water Mains (CIP W-65) has a budget of \$3 million in 2003. It will be funded from future revenue bonds and/or Water Utility cash reserves.

Motion--  
-- carried

Mayans moved that the project expenditures for 2003, be approved; the Resolution be adopted; and that the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

## RESOLUTION NO.03-365

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend and enlarge the water and sewer utility owned and operated by the City, and to issue Revenue Bonds in a total principal amount which shall not exceed \$3,000,000, exclusive of the cost of interest on borrowed money, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Martz moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gale, Martz, Pisciotte, Knight. (Lambke, absent)

## **DISCLAIMER OF INT. DISCLAIMER OF INTEREST - VACANT LOT IN 2600 BLOCK OF EAST NINTH STREET.** (District I)

Agenda Report No. 03-0773

This property is located in the 2600 block of East 9th Street. The property is a vacant lot located in a residential neighborhood. A review of records reflects that the property was deeded to The City of Wichita on May 12, 2003. The property was deeded without the knowledge of or acceptance by City of Wichita. Current special assessments on the property for \$789.16 are for the removal of bulk waste, salvage, and mowing of tall grass and weeds.

City Staff have reviewed this property and have declined acceptance based on the current assessment, cost of holding and maintenance, and lack of purpose to existing programs and plans.

The Law Department has reviewed the situation and supported the Disclaimer of Interest as the viable manner in which to prevent transfer of property ownership to and protect the City of Wichita from the financial implications of receipt and maintenance of the property.

Motion--  
-- carried

Mayans moved that the disclaimer be approved and that the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

## **SALE OF SURPLUS SALE OF SURPLUS PROPERTY AT 802 NORTH BELMONT.** (District I)

Agenda Report No. 03-0774

An offer of \$28,000 has been received for the parcel of eight residential platted lots located at 802 North Belmont, owned by The City of Wichita. The property is presently vacant. The property was formally used for a water surge tank; some subsurface structures may remain. The 28,000 square foot site is zoned Two-Family.

The property has been valued at \$28,000. The buyer originally offered \$21,000 and accepted a counter of \$28,000. The buyer and related family intend to build owner occupied residences on the property. The property has been advertised, shown, included in mailings, and signed.

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The City will receive cash consideration from the sale of the property at closing.

Motion--  
-- carried

Mayans moved that the Contracts be approved and that the necessary signatures be authorized. Motion carried 6-0. (Lambke absent)

## RESOLUTION.

### RESOLUTION - RIVERSIDE PARK IMPROVEMENT. (District VI)

Agenda Report No. 03-0775

Park projects are bonded under the authority of Kansas Statue 13-1024c. The Resolutions associated with such projects are routinely reviewed by the State Attorney General's Office. During a recent review, it was requested that the City's Resolution form be revised to provide more clarity about the projects and that existing Resolutions be revised to provide additional detail.

An amending Resolution for the Riverside Park Improvement has been prepared to comply with the request of the Attorney General's Office and to rescind five redundant Resolutions.

There is no impact on the project budget.

Motion--carried

Mayans moved to adopt the Resolution. Motion carried 6-0. (Lambke absent)

### RESOLUTION NO. 03-366

A Resolution amending Resolution No. R-99-412 of the City Of Wichita, Kansas, finding it necessary to make certain improvements to Riverside Park and authorizing the issuance of Bonds by the City of Wichita at Large, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayan. (Lambke absent)

## ORDINANCES

### SECOND READING ORDINANCES: (FIRST READ JULY 8, 2003)

a) Lincoln at McLean intersection improvements. (District IV)

### ORDINANCE NO. 45-766

An Ordinance declaring the intersection of Lincoln and Mclean (472-83799) to be a main trafficway within the city of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. (Lambke, absent)

b) State Office Building garage condominium and parking leases.

### ORDINANCE NO. 45-765

An Ordinance approving the declaration of condominium and by-laws for the William Street Parking Garage and the lease agreements with the Wichita Public Building Commission for the Broadway Avenue Parking Lot and the Topeka Avenue Parking Lot, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. (Lambke, absent)

c) A03-17 - Annex land near the northwest corner of South Greenwich Road, East Of Harry Street. (District II)

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## ORDINANCE NO. 45-767

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. (Lambke, absent) (A03-17)

d) Acquisition by eminent domain - tracts for Jabara runway approach protection.

## ORDINANCE NO. 45-768

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of preserving the runway approach protection zone for Colonel James Jabara Airport in the city of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the district court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. (Lambke, absent)

## PLANNING AGENDA

Mayans moved that the Planning Agenda, except Items 34 and 35, be approved as consensus Items. Motion carried 6 to 0. (Lambke absent)

### SUB2002-126

#### SUB2002-126 - PLAT OF HARVEST RIDGE ADDITION - SOUTH SIDE OF 31ST STREET SOUTH, WEST SIDE OF MAIZE ROAD. (District IV)

Agenda Report No. 03-0776

This unplatted site consists of 158 lots (55.6 acres) and has recently been annexed into the City Limits. A zone change (ZON 2003-03) from "LI" Limited Industrial District to "SF-5" Single-Family Residential District was approved for a portion of the site abutting Maize Road.

Petitions, all 100%, have been submitted for sanitary sewer, water, paving, storm water drainage, off-site sanitary sewer and traffic improvements. A Certificate of Petitions has been provided. Restrictive Covenants have been submitted to: a) provide four (4) off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street; and b) provide for the establishment of a homeowner's association for the ownership and maintenance of the reserves. Since this site is within the noise impact areas of Wichita Mid-Continent Airport, a Restrictive Covenant and an Avigational Easement were also submitted. Also, an Off-site Drainage Easement has been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, Restrictive Covenants, Avigational Easement and Off-site Drainage Easement will be recorded with the Register of Deeds.

Motion--

-- carried

Mayans moved that the documents, Plat, and first reading of ZON2003-03 Ordinance be approved, the necessary Signatures be authorized and the Resolutions be adopted. Motion carried 6 to 0. (Lambke absent).

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## RESOLUTION NO. 03-367

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89849 (west of Maize, south of 31<sup>st</sup> Street South) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-368

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89850 (west of Maize, south of 31<sup>st</sup> Street South) 448-89850, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-369

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89851 (west of Maize, south of 31<sup>st</sup> Street South) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-370

Resolution of findings of advisability and Resolution authorizing improving Main 5, Cowskin Interceptor Sewer, (west of Maize, south of 31<sup>st</sup> Street South) 468-83658, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-371

Resolution of findings of advisability and Resolution authorizing improving of Lateral 1, Main 5, Cowskin Interceptor Sewer (west of Maize, south of 31<sup>st</sup> Street South) 468-83659, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-372

Resolution of findings of advisability and Resolution authorizing improving of Lateral 2, Main 5, Cowskin Interceptor Sewer, (west of Maize, south of 31<sup>st</sup> Street South) 468-83660, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-373

Resolution of findings of advisability and Resolution authorizing improving of Lateral 3, Main 5, Cowskin Interceptor Sewer, (west of Maize, south of 31<sup>st</sup> Street South) 468-83661, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

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## RESOLUTION NO. 03-374

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 208 (west of Maize, south of 31<sup>st</sup> Street South) 468-83662, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-375

Resolution of findings of advisability and Resolution authorizing improving 35th Street South, from the south line of Lot 31, Block A, north and east to the west line of Maize Road. 35th Ct. S., from the west line of 35th Street S., north to and including the cul-de-sac to serve Lots 23 through 30, Block A, on 35th Ct. S., from the north line of 35th Street S., north to and including the cul-de-sac to serve Lots 16 through 22, Block A, on 35th Ct. S., from the north line of 35th Street S., north to and including the cul-de-sac to serve Lots 11 through 15, Block A, on 35th Ct. S., from the south line of 35th Street S., north to and including the cul-de-sac to serve Lots 10 through 23, Block B. Sidewalk constructed along one side of 35th Street S., (west of Maize, south of 31st Street South) 472-83804, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-376

Resolution of findings of advisability and Resolution authorizing improving Hollywood, from the north line of K-42 Drive North and west to the west line of Lot 18, Block C, on 35th St. S., from the northeast line of Hollywood, north to the south line of Lot 31, Block A. Sidewalk constructed on one side of Hollywood, and 35th Street S., (west of Maize, south of 31st Street South) 472-83805, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-377

Resolution of findings of advisability and Resolution authorizing improving Hollywood, from the west line of Lot 18, Block C, west and north to the south line of Lot 1, Block D, on 35th Street S., from the west line of Hollywood, west to the west line of the plat, on Shefford, from the north line of Hollywood, north to the north line of the plat. Hollywood Ct., from the north line of Hollywood, north to and including the cul-de-sac to serve Lots 49 through 63, Block A, on Hollywood Ct., from the north line of Hollywood, north to and including the cul-de-sac to serve Lots 34 through 48, Block A. Sidewalk be constructed on one side of Hollywood, Shefford, and 35th Street S., (west of Maize, south of 31st Street South) 472-83806, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-378

Resolution of findings of advisability and Resolution authorizing constructing left turn bay improvements on Maize Road to serve 35<sup>th</sup> Street South, (west of Maize, south of 31st Street South) 472-83807, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)



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## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, introduced and under the rules laid over.. (ZON 2003-03)

SUB2003-12

### **SUB2003-12 - PLAT OF RUSTY ECK FORD ADDITION - NORTH SIDE OF KELLOGG, WEST OF ROCK ROAD.** (District II)

Agenda Report No. 03-0777

This site, consisting of 1 lot (15.4 acres), is a replat of lots in the Clayton Addition and Rockwood South First, Third and Fifth Additions. A zone change request (PUD 2003-01) from "LC" Limited Commercial District and "GC" General Commercial District to PUD #16, Planned Unit Development has been approved. Municipal services are available to serve the site.

A P.U.D. Certificate has been provided for the associated zone change. Since this site is within the noise impact areas of Jabara Airport, a Restrictive Covenant and an Avigational Easement were also submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the Ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Certificate of Petitions, Restrictive Covenants, Avigational Easement and Drainage Easement will be recorded with the Register of Deeds.

Motion--

Mayans moved that the documents, Plat, and first reading of PUD2003-01 Ordinance be approved, the necessary signatures be authorized and the Resolution be adopted. Motion carried 6 to 0. (Lambke absent).

--carried

## RESOLUTION NO. 03-379

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89854, (south of Central, east of 183<sup>rd</sup> Street West) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended. (PUD2003-01)

SUB2003-29

### **SUB2003-29 - PLAT OF BRIGHTON COURTS ADDITION - SOUTH OF 21ST STREET NORTH, WEST OF WEBB ROAD.** (District II)

Agenda Report No. 03-0778

This site, consisting of 38 lots (13.07 acres), is a replat of a portion of Legacy Park Wilson Estates Addition and is zoned "SF-5" Single-Family Residential District. This plat is subject to the provisions of the Wilson Estates Residential CUP (DP-201).

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Petitions, all 100%, have been submitted for sanitary sewer, water, paving and storm water sewer improvements. A Certificate of Petitions has been provided. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street drainage and utility easements", a Restrictive Covenant was submitted that sets restrictions for lot-owner use of these easements. Restrictive Covenants were submitted to: a) provide for the continued sharing in the ownership and maintenance responsibilities of the previously platted reserves in the Legacy Park Wilson Estates Addition; and b) provide four (4) off-street parking spaces per dwelling unit on each lot that abuts a 32-foot street. Since this site is within the noise impact areas of Jabara Airport, a Restrictive Covenant and an Avigational Easement were also submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions, Restrictive Covenants and Avigational Easement will be recorded with the Register of Deeds.

Motion--  
-- carried--

Mayans moved that the documents and Plat be approved, the necessary signatures be authorized and the Resolutions be adopted . Motion carried 6 to 0. (Lambke absent)

## RESOLUTION NO. 03-380

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89856 (south of 21<sup>st</sup> Street, west of Webb), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-381

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89857, (south of 21<sup>st</sup> Street, west of Webb), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-382

Resolution of findings of advisability and Resolution authorizing improving of Lateral 83, Main 22, War Industries Sewer, (south of 21<sup>st</sup> Street, west of Webb) 468-83672, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-383

Resolution of findings of advisability and Resolution authorizing improving of Lateral 84, Main 22, War Industries Sewer, (south of 21<sup>st</sup> Street, west of Webb) 468-83673, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-384

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 593 (south of 21<sup>st</sup> Street, west of Webb) 468-83674, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

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## RESOLUTION NO. 03-385

Resolution of findings of advisability and Resolution authorizing improving Paddock Green Circle from the north line of Wilson Estates Parkway to 97 feet south of the north line of Lot 5, Block 1, and the cul-de-sacs serving Lots 1 through 5 and Lots 30 through 38, Block 1, Brighton Courts Addition (south of 21<sup>st</sup> Street, west of Webb) 472-83816, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-386

Resolution of findings of advisability and Resolution authorizing improving Paddock Green Circle from 97 feet south of the north line of Lot 5, Block 1, to and including the cul-de-sacs serving Lots 6 through 29, Block 1, Brighton Courts Addition (south of 21<sup>st</sup> Street, west of Webb), 472-83817, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## SUB2003-30

### **SUB2003-30 - PLAT OF REED'S COVE SECOND ADDITION - SOUTH OF 21ST STREET NORTH, EAST OF 127TH STREET EAST.** (District II)

Agenda Report No. 03-0779

This site, consisting of four (4) lots (1.73 acres), is a replat of Reserves A, B, C and D in the Reeds Cove Addition and is located within the City of Wichita. The site is zoned "SF-5" Single-Family Residential District.

Petitions, 100%, have been submitted for paving, water, sewer, paving and drainage improvements. A Certificate of Petitions has been submitted. A Restrictive Covenant has been submitted to provide for four (4) off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street. The Restrictive Covenant also provides for the continued sharing in the ownership and maintenance responsibilities of the previously platted reserves in the Reed's Cove Addition.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion--  
-- carried

Mayans moved that the documents and Plat be approved; the necessary signatures be authorized; and the Resolutions be adopted. Motion carried 6 to 0. (Lambke absent)

## RESOLUTION NO. 03-387

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89764, (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-388

Resolution of findings of advisability and Resolution authorizing construction of Main14, Four Mile Creek Sewer, (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East), 468-83565, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

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## RESOLUTION NO. 03-389

Resolution of findings of advisability and Resolution authorizing construction of Lateral 1, Main 14, Four Mile Creek Sewer (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East) 468-83566, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-390

Resolution of findings of advisability and Resolution authorizing improving of Storm Water Sewer No. 585 (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East) 468-83569, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-391

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Sewer No. 592 (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East) 468-83571, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-392

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 204 (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East) 468-83625, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-393

Resolution of findings of advisability and Resolution authorizing improving Glenwood from the south line of 21<sup>st</sup> Street to the south line of Lot 23, Block 1, Reed's Cove Addition; Glenwood Court from the west line of Glenwood to and including the cul-de-sac, serving Lots 1 through 13, Block 1, Reed's Cove Addition, and Lot 1, Block 1, Reed's Cove Second Addition; Glenwood Court from the west line of Glenwood to and including the cul-de-sac, serving Lots 14 through 23, Block 1, Reeds's Cove Addition, and Lot 1, Block 2; Lot 1, Block 3, Reed's Cove Second Addition (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East) 472-83680, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

## RESOLUTION NO. 03-394

Resolution of findings of advisability and Resolution authorizing improving Glenwood from the south line of Lot 23, Block 1 to the south line of Lot 6, Block 2; Glenwood Court serving Lots 24 through 33, Block 1; and Reed's Cove from the west line of Lot 39, Block 1 to the west line of Glenwood, (south of 21<sup>st</sup> Street, east of 127<sup>th</sup> Street East) 472-83770, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Lambke, Martz, Schlapp, Mayans. (Lambke absent)

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(Agenda Item No. 34)  
ZON2003-00027

## ZON2003-00027 - ZONE CHANGE FROM LIMITED COMMERCIAL TO OFFICE WAREHOUSE - NORTH OF 31ST STREET SOUTH BETWEEN K-15 AND HILLSIDE.

(District III)

Agenda Report No.03-0780

This site, consisting of four (4) lots (1.73 acres), is a replat of Reserves A, B, C and D in the Reeds Cove Addition and is located within the City of Wichita. The site is zoned "SF-5" Single-Family Residential District.

Petitions, 100%, have been submitted for paving, water, sewer, paving and drainage improvements. A Certificate of Petitions has been submitted. A Restrictive Covenant has been submitted to provide for four (4) off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street. The Restrictive Covenant also provides for the continued sharing in the ownership and maintenance responsibilities of the previously platted reserves in the Reed's Cove Addition.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion --  
-- carried

Martz moved that this Item be deferred until Council Member Lambke could be present. Motion carried 6 to 0. (Lambke absent)

(Later in the meeting the Council returned to take up this Item. Action is shown with the Item.)

Council Member Fearey

Council Member Fearey said she had spoken with Council Member Lambke who indicated approval of the Item.

Motion--  
-- carried

Fearey moved that the zone change and first reading of the Ordinance be approved. Motion carried 6 to 0. (Lambke absent)

### ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended. (ZON2003-00027)

## AIRPORT AGENDA

AIRPORT

### CESSNA HANGAR TEN - SUPPLEMENTAL AGREEMENT.

Agenda Report No. 03-0782

Cessna Aircraft Company has occupied Hangar 10 located at 1780 Airport Road on Wichita Mid-Continent Airport since it was constructed in 1955. The facility encompasses 23,888 sq. ft., and consists of office and hangar space, and is situated on 3.92 acres of land.

Cessna operates their Employees' Flying Club and Product Safety Division from this facility. They are desirous of leasing the facility for an additional six-year term.

Annual rent for this facility will be \$86,985.41, with a total revenue of \$521,912.46 over the six-year term of the lease. Cessna is responsible for general maintenance and repair of the facility, with the exception of structural repairs and boiler maintenance.

Motion--  
-- carried

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Lambke absent)

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## AIRPORT

### TAXIWAY "N" SUPPLEMENTAL AGREEMENT.

Agenda Report No. 03-0783

On June 4, 2002 City Council approved an agreement with Professional Engineering Consultants to design the expansion and rehabilitation of Taxiway N.

During construction, resident engineering and construction related services are necessary in order to comply with Federal requirements. A supplemental agreement has been prepared to authorize the necessary services.

The cost of construction related service is \$805,855.00. A federal grant is anticipated to pay for 90% of the services. Passenger Facility Charges will ultimately fund the matching 10%. Funds are available within the approved budgets.

The agreement has been approved by the Law Department and is being reviewed by the Federal Aviation Administration.

Motion--  
-- carried

Mayans moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 6 to 0. (Lambke absent)

## AIRPORT

### AIRPORT IMPROVEMENT PROGRAM GRANT APPLICATION.

Agenda Report No. 03-0784

Wichita Mid-Continent Airport is entitled to a portion of the Airport Improvement Program (AIP) federal funding based on its passenger enplanements. The funds must be used for projects that have met eligibility requirements and have been approved by the Federal Aviation Administration. The Grant Application must be submitted to the FAA by August 1, 2003 to maximize the use of entitlement funds in 2003.

Staff has prepared grant applications for these funds for submission to the Federal Aviation Administration.

Grant funds are limited to the improvements listed in the applications, which are: Safety Building expansion and security system upgrade and Runway 1L/19R Rehabilitation.

City Council approved the Safety Building Expansion as part of the security projects on November 20, 2001 and approved the Runway 1L/19R Rehabilitation project on March 18, 2003.

The Airport is requesting that FAA AIP Entitlement funds be directed for the Safety Building expansion and security system upgrade in the amount of \$1,053,237 and Runway 1L/19R rehabilitation in the amount of \$382,500. Matching funds of 10% will be applied for through the Passenger Facility Charge Program. Items the FAA determine ineligible for participation will be paid for with Airport Revenue.

Motion--  
carried--

Mayans moved that the Grant applications be approved, the acceptance of funds and the necessary signatures be authorized. Motion carried 6 to 0. (Lambke absent)

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## RECESS

The City Council recessed and returned in regular session at 7:02 p.m. at the Sedgwick County Extension Center, 7001 West 21st Street North, Wichita, Kansas.

Wichita, Kansas, July 15, 2003

Tuesday, 7:02 p.m.

The City Council met and reconvened in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Martz, Schlapp; present. Council Member Lambke absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Graves, City Clerk; present.

Mayor Mayans

Mayor Mayans announced that the City Council was meeting in recessed session to discuss:

(Planning Agenda Item No. 35)

**A03-11**

**A03-11 - ANNEXATION OF ELIGIBLE PROPERTIES NORTH OF 27TH STREET NORTH, AND EAST AND WEST OF NORTH MAIZE ROAD.** (District V)

John Schlegel

Planning Director reviewed the Item.

Agenda Report No. 03-0781.

On May 13, 2003, City Council adopted a resolution that established a public hearing date of July 15, 2003, at 7:00 p.m. at the Sedgwick County Extension Center, 7001 W. 21st Street North, for consideration of this unilateral annexation initiative. The eligible properties proposed for annexation are generally located north of 27th Street North and east and west of N. Maize Road.

This is the first phase of a three-phase annexation initiative. The subject area for this first phase consists of approximately 238 acres and 49 properties (23 platted, 26 unplatted), along with adjacent arterial and local road segments. There are 12 residential tracts, 16 farm-related tracts, 20 vacant tracts and 1 exempt use tract. The land use pattern of this area is predominately residential and agricultural in nature. The vast majority of the annexation area is zoned "SF-20" Single-Family Residential, with two parcels zoned "RR" Rural Residential. Those areas zoned "RR" and "SF-20" will convert to the "SF-5" Single-Family Residential district upon annexation ("SF-10" if requested by property owner and approved by the governing body), while other properties will retain their existing zoning.

The majority of the land proposed for annexation is located within the area identified as "low-density residential" according to the 2002 Update to the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change Land Use Guide Map. The land use pattern within the annexation area is generally consistent with its land use designation in the updated Plan. The majority of the annexation area falls within the 2010 Wichita Urban Service Area boundary.

An informational meeting regarding the proposed annexation was held on June 17, 2003 at the Sedgwick County Extension Center, 7001 W. 21st Street North. Nine property owners attended the meeting. No one requested to be exempted from annexation. Several questions were asked of City staff members related to future municipal services and the implications of annexation into Wichita.

The proposed annexation will allow for the continuation of the City's growth in the northwest part of Wichita. In accordance with Kansas State statutes, a Service Extension Plan has been prepared for this unilateral annexation. The Plan describes the means by which City services will be extended to the area.

The total appraised value of the land and improvements proposed for annexation is \$4,821,390 resulting in an annual City Ad Valorem tax revenue of approximately \$16,756. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire

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protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed amongst the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution establishing the public hearing, a map showing the properties included and notice of the public hearing, were sent by certified mail to all property owners of record in the proposed annexation area, and to other established governmental entities and utility services. Copies of the resolution and map have also been published in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date, as further notification of the scheduled public hearing. A copy of the Service Extension Plan has been placed on file in the City Clerk's Office. The subject properties as finalized and listed in the annexation Ordinance under consideration by City Council are currently eligible for annexation under K.S.A. 12-519, et seq.

The Metropolitan Area Planning Commission reviewed the proposed annexation for compatibility with the Comprehensive Plan on June 5, 2003. The staff report presented at the MAPC meeting indicated that the proposed annexation was in conformance with the Wichita-Sedgwick County Comprehensive Plan. The MAPC found the annexation in conformance with the Comprehensive Plan by a vote of eight to zero (8-0).

In conducting the public hearing, Kansas State statutes require that the City's plan for extending major municipal services be presented and that all persons interested in the annexation be heard. After hearing all comments of the persons interested, the City Council has the option of continuing or closing the public hearing, and approving or rejecting the annexation proposal.

The service plans were also reviewed by the Planning Director.

Mayor Mayans	Mayor Mayans inquired whether anyone wished to be heard.
Unidentified	An unidentified male inquired whether his property, located in the Bell Park area, was included in this annexation; and stated that he wanted to be part of Maize.
Tim Abbott	Tim Abbott asked why his neighbor, located to the south of his home in the northwest corner of 29th and Maize, had only a portion of his property annexed. Mr. Abbott also asked what recourse he had if he did not want to be annexed.
Dave Barber	Planning Department explained that not all of his neighbor's property was eligible for annexation because it did not meet State formula requirements.
Gary Rebenstorf	Director of Law said recourse provisions are that within 30-days following adoption of the Ordinance, procedures set out under State Statutes can be followed if annexation is not desired.
Jason Kravarik	News Reporter said he was under the impression that the Bell Park area was included in future annexation plans.
Terry Cassady	Development Assistance Coordinator explained that the Bell Park area, and other tracts, would be included in an annexation hearing scheduled for September 9, 2003.
Motion--	Martz moved that the public hearing be closed, the annexation be approved, a public emergency be declared and the Ordinance be adopted on the day of its introduction Motion carried 6 to 0. (Lambke absent)
-- carried	



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## ORDINANCE NO. 45-769

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. Mayans moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 6 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Mayans. (Lambke absent) A-03-11

### Adjournment

The City Council meeting adjourned at 7:21 p.m.

Pat Graves, CMC  
City Clerk